

Testimony of State Representative Steve Wieckert

Assembly Bill 181 – Continuing Education Credits for Land Surveyors, Engineers, & Other Design Professionals

*Senate Committee on Labor, Elections, and Urban
Affairs*

Room 330 Southwest – December 4, 2007

Good morning Chairman Coggs and committee members. I am pleased to come before you today to discuss Assembly Bill 181, Continuing Education Credits for Land Surveyors, Engineers, & Other Design Professionals.

Currently, most professional organizations in Wisconsin have various licensing and registration requirements which help protect consumers, and ensure a high quality of workmanship is maintained within the industry. In addition, a continuing education credit requirement is oftentimes included in this process.

The bill before you today, would allow the Examining Board of Architects, Landscape Architects, Professional Engineers, Designers, and Land Surveyors the ability to establish a continuing education requirement which must be satisfied when an individual wishes to renew their license every other year.

The continuing education requirement will help ensure land surveyors and other engineering professionals will be kept up-to-date on the latest industry practices and regulations, and will help to maintain the high quality of service they provide to Wisconsin's consumers. Currently, 29 out of 50 states have a continuing education requirement for license in these particular fields.

This legislation is supported by:

- American Council of Engineering Companies
- Wisconsin Society of Land Surveyors
- Northeast Wisconsin Chapter of the Wisconsin Society of Land Surveyors
- Society of Southeastern Wisconsin Land Surveyors
- Wisconsin Department of Regulation & Licensing
- Wisconsin Chapter of the American Society of Landscape Architects
- Degen-Foat Surveying
- American Institute of Architects

- Wisconsin Society of Professional Engineers
- Wisconsin Rental Housing Legislative Council
- Wisconsin Society of Architects
- Wisconsin Transportation Builders Association

Thank you. At this time I would be happy to answer any questions the committee may have.

Testimony

Senate

PUBLIC HEARING

Committee on Labor, Elections and Urban Affairs

Tuesday, December 4, 2007

11:00 AM

330 Southwest

State Capitol

Assembly Bill 181

Martin J. Hanson, PE

Joint Board of Architects, Landscape Architects,

Professional Engineers, Designers & Land Surveyors--Chairman

Professional Engineers Section--Chairman

Chairman Coggs and Honorable Members of the Committee on Labor,
Elections and Urban Affairs:

Senator Spencer Coggs (Chair)

Senator Robert Wirch (Vice-Chair)

Senator John Lehman

Senator Glenn Grothman

Senator Alan Lasee

I am sorry that I am unable to appear before you today in-person to present testimony and be able to answer your questions. When I was informed of the hearing date, I already had commitments at the time of this hearing that I was unable to change. I have asked Ms. Rosheen Styczinski, FASLA, vice chair of the Joint Board, to present my testimony to you. Please consider my testimony below, and I would be happy to supply answers to your questions or the committee's questions in writing at your convenience.

I am presenting testimony on behalf of the Wisconsin Joint Board of Architects, Landscape Architects, Professional Engineers, Designers & Land Surveyors, where I am chairman, and the Engineers Section of the Joint Board, where I am also chairman; both boards have authorized me to speak on behalf of the respective bodies. I would like to thank the chairman for scheduling the hearing on this important legislation, and I would like to also thank Senators Lassa and Cowles for their sponsorship of this bill. Today, I intend to provide testimony on this legislation to inform and answer your questions to convey the purpose behind Assembly Bill 181.

This bill is enabling legislation. The bill provides the member sections of the Joint Board, the authority to establish Continuing Professional Competency, CPC (commonly referred to as continuing education) requirements for professions licensed under the respective sections.

It is important to note that this bill does not:

1. Require any section to implement requirements
2. Establish any minimum quantity of education
3. Prescribe the content, method of delivery, or approval of any education requirements
4. Establish any timeline for implementation

The Joint Board and the sections purposely crafted the legislation to reserve these decisions to the individual sections. Each profession is in a better position to uniquely establish, maintain, and enforce their own CPC program.

Establishing CPC requirements will enable Wisconsin professionals to compete in wider markets across the country and the world. Having CPC will make it easier for credential holders to obtain a similar credential in other states with similar requirements.

CPC is currently a requirement in 34 states for Professional Engineers, and that number continues to grow.

Increasingly, changes in technology, materials, environmental protection, and performance requirements make continued learning a must for professionals. Some would argue that simple market forces are enough to compel professionals to seek further education. The Joint Board believes this is not sufficient to fulfill its core mission, the protection of public health, safety and welfare.

I believe required continuing education does indeed provide additional protection to the public. Given that we require education for licensure, it is not unreasonable to assume that additional learning throughout a professional's career will enable him/her to make better decisions. Given the rapid advances in technology, changes in public policy, and ever-changing environmental restrictions, it is imperative that practicing professionals remain current in their field. The Joint Board and I believe this is a step in the right direction.

The purpose of today's hearing is not to discuss the details of the requirements, but to adopt the philosophy that continuing professional competency inherently adds to the protection of citizens.

Professionals and the public will have opportunities to discuss and debate the specifics of the CPC programs, for each credential during promulgation of the rules. The rules must pass through each section board, the Joint Board Rules Committee, and the full Joint Board before adopted and enacted. There will be ample opportunities for input to ensure an effective and efficient system.

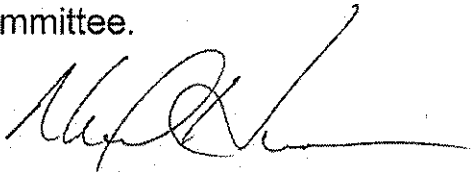
Therefore, I ask you to approve this bill and send it to the Senate for action at the earliest opportunity.

Mr. Chairman, in summary, the Engineer Section of the Joint Board and the Joint Board strongly support Assembly Bill 181 and urge its passage at the earliest opportunity.

This bill is needed to protect the citizens of Wisconsin as well as enable our professionals to compete in the world market.

Thank you again for the opportunity to testify today. I appreciate your consideration of this matter.

I would be happy to answer any questions that may remain from the committee.

A handwritten signature in black ink, appearing to read 'M. J. Hanson', with a long horizontal stroke extending to the right.

Martin J. Hanson, PE
Chairman – Joint Board of Architects, Landscape Architects,
Professional Engineers, Designers and Land Surveyors
Chairman – Professional Engineers Section

Sam Rockweiler, PE

806 Woodward Drive, Madison WI 53704

(608) 246-8345

November 30, 2007

Senator Spencer Coggs
Chair, Senate Committee on Labor, Elections and Urban Affairs
Room 123 South, State Capitol
PO Box 7882
Madison, WI 53707-7882

Dear Senator Coggs:

Thank you for this opportunity to present my strenuous opposition to Assembly Bill 181.

With all due respect to the proponents of this Bill, including any who are fellow Professional Engineers, I am strongly opposed to implementing any form of mandatory continuing education for Professional Engineers who have met both the academic and work-experience requirements in section 443.04 of the Statutes. Those requirements already have a truly outstanding record of establishing an adequate, professional-level threshold above which licensed individuals can and should be trusted to make decisions that are essential for protecting the safety, health, welfare, property, and lives of others.

In my over 32 years of service to the State of Wisconsin as a Professional Engineer, in a variety of regulatory programs, I have seen countless mandatory continuing education courses and credits applied to a multitude of categories – from building inspectors, to plumbers, to soil testers, and so on – and far too many of those credits accomplished little or nothing other than adding up to some arbitrary number in a magic category on a faceless bureaucrat's score sheet.

There may be some occupations or trades where the entry requirements are so simple and easy that some kind of supplemental hand-holding in the form of ongoing, mandatory education is needed. But since Professional Engineers, upon becoming registered, can be trusted to decide for themselves where they are qualified enough to, on their own, make vital life-safety determinations that other people's lives and livelihoods depend upon, then those Engineers generally should likewise continue to be trusted to make that decision throughout their careers. And, those Engineers know, better than any well-intentioned bureaucrat, what kind of additional education they might need to continue to do their work well – as technologies and other factors evolve in our local, regional, national, and global society.

In short, my experience clearly tells me that Professional Engineers learn more about what they need to know by pursuing the professional work which they are dedicated to, than they would by diverting their finite resources away from that work to inane do whatever is less knowingly decreed by others as being better.

If there is concern that one or more of the options for becoming registered as a Professional Engineer are no longer adequate, such as those that rely only on experience, in contrast to those that rely on a combination of rigorous academic achievements and qualifying experience, then the registration requirements should be modified accordingly – such as through the changes that are currently proposed in Assembly Bill 69 – rather than saddling and hamstringing the currently

(Continued on reverse side)

practicing professionals with well-intended but misguided and counterproductive rigmarole that would probably include ongoing onerous increases in license fees to pay for it.

Similarly, if there is concern that disciplinary oversight of practicing Professional Engineers by the Department of Regulation and Licensing has become too lax or inadequate, for whatever reason, then that disciplinary oversight should be strengthened, rather than further burdened or diluted by a need to begin administering unnecessary continuing education requirements.

I realize that you may hear from other Professional Engineers who instead desire some kind of mandatory continuing education for their particular sector of engineering, such as highway construction that depends on federal funding. If that happens, perhaps some accommodation can be developed which is tailored specifically to those desires but which does not mandate continuing education for all other Professional Engineers.

I also realize that you may hear from one or more Associations which may support AB 181 and which represent some of the Professional Engineers in Wisconsin. In that event, please carefully consider how representative those Associations are. For example, although the Wisconsin Society of Professional Engineers has about 1,000 members, the registry of the Wisconsin Department of Regulation and Licensing currently lists over 19,000 active Professional Engineers in Wisconsin.

Thank you for considering my viewpoint on this important issue, and please let me know if you would like any follow-up information.

Sincerely,

A handwritten signature in cursive script, appearing to read "Sam Rockweiler".

Sam Rockweiler, PE

c: Members of the Senate Committee on Labor, Elections and Urban Affairs

AIA Wisconsin

A Society of The American Institute of Architects



MEMO

DATE: DECEMBER 4, 2007

TO: SENATE COMMITTEE ON LABOR, ELECTIONS & URBAN AFFAIRS

FROM: WILLIAM M. BABCOCK, HON. AIA *WMB*
EXECUTIVE DIRECTOR

RE: 2007 ASSEMBLY BILL 181 – CONTINUING EDUCATION

On behalf of AIA Wisconsin, the state society of The American Institute of Architects (AIA), I encourage you to support 2007 Assembly Bill 181.

Assembly Bill 181 is simple enabling legislation that would allow sections of the Examining Board of Architects, Landscape Architects, Professional Engineers, Designers and Land Surveyors to establish minimum continuing education requirements for individuals to renew their license in Wisconsin.

In May, Assembly Bill 181 was unanimously recommended for passage by the Assembly Committee on Labor and Industry. In October, this proposed legislation was approved by the Wisconsin Assembly on a voice vote.

Currently, 37 states require continuing education for architects to renew their license to practice, including our neighboring states of Illinois, Iowa and Minnesota. In addition, Michigan has adopted similar enabling legislation.

New building codes, materials, products, technologies and delivery systems are constantly changing the way in which buildings are designed and constructed. Members of The American Institute of Architects support lifelong learning and continuing education programs to supplement their active architectural practices. In fact, continuing education has been required for architects to renew their AIA membership since 1995.

Thank you for your consideration of our support for Assembly Bill 181. With over 1,500 individual members, AIA Wisconsin represents architects in private practice, business, industry, education and government.



State Engineering Association
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Testimony to the Senate Committee on Committee on Labor, Elections and Urban

**AB 181 Continuing Education for Architects, Landscape Architects,
Professional Engineers, Designers of Engineering Systems, and Land Surveyors**

December 4, 2007

My name is Robert Schaefer, and I am a professional engineer registered in this state. I am also a member of the State Engineering Association which I am representing at this hearing. The State Engineering Association is the collective bargaining unit representing state employees in professional occupations related to engineering.

We neither oppose nor support the continuing education requirement. However, we do believe the proposal for engineering continuing education highlights the need for the state to provide appropriate employee training opportunities.

In May of this year, another professional engineer from organization attended a public hearing to present comments on AB 181 to the Assembly Committee on Labor and Industry. Consider the events that have occurred in just the past 7 months since the May public hearing, it is clear that the state faces many complex decisions related bridge and damn maintenance, water quality and supply, air quality, waste management and development of agricultural, energy and mineral resources.

Skilled public civil service employees are needed to ensure protection and maintenance of critical infrastructure, public health and safety, and natural resources for the citizens and commerce of Wisconsin. The state's workforce strategy most certainly needs to include the hiring, development and retention of employees that are professionally licensed and continually trained.

I want to mention that the State Engineering Association an independent bargaining unit, and is operated by the association membership. I am using vacation time to be here today. We do not have full time staff to attend legislative hearings on work time, but our members are keenly aware of the importance of your job to manage the business of the state.

The State Engineering Association asks you to ensure the state acts responsibly for citizens and commerce, and as an employer, by providing adequate funding for continuing education for state engineering related positions.

I appreciate being able to share these concerns with you. Please contact the State Engineering Association if you have questions about these comments, or would like to discuss these issues further.



The American Council of Engineering Companies of Wisconsin

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Tel: 608-257-9223 Fax: 608-257-0009 www.acecwi.org

AMERICAN COUNCIL OF ENGINEERING COMPANIES

of Wisconsin

the business voice of the Wisconsin consulting engineering industry

December 4, 2007

Senator Spencer Coggs, Chairman
Senate Committee on Labor, Elections, and Urban Affairs
Wisconsin State Senate
Madison, WI

RE: Assembly Bill 181 relating to continuing education for design professionals

Dear Senator Coggs and Members of the Committee on Labor, Elections, and Urban Affairs:

The American Council of Engineering Companies of Wisconsin (ACEC WI) supports AB 181 and encourages passage of this bill. ACEC WI represents over 75 consulting engineering firms and affiliate members that employ approximately 3,800 highly educated and trained professionals across the state. ACEC WI believes all professional engineers should maintain a professional standard of competence. This organization supports lifelong learning and continuing education programs to supplement active practice. One of ACEC WI's strategic plan goals is to provide a strong educational program focused on specific member needs.


Historically, an engineering education consisted primarily of basic math and science courses followed by those in analysis and design. A few liberal arts courses were included but were not viewed as a core element of an engineer's education. This approach produced professionals who were solid engineers, but who often lacked good communication skills as well as a broad view of the world in which they practice.

Today's marketplace demands a more substantial knowledge base from engineers. In order to stay current with changing technology, equipment, procedures, processes, tools, and established standards, many states are requiring continuing education for professional engineers. The requirement is intended to protect the public from outdated, under-qualified, or unethical practitioners by reinforcing the need for lifelong learning.

Currently, 29 out of 50 states have some sort of continuing education requirement for professional engineers. Wisconsin is in a shrinking minority of states that does not have some requirement for assuring professional engineers maintain current competence. This can make it difficult for Wisconsin engineers to gain reciprocity in other states.

ACEC WI's member firms pledge to uphold high professional and ethical standards. ACEC WI supports enabling legislation that would allow the Joint Board of Architects, Landscape Architects, Professional Engineers, Designers, and Land Surveyors to promulgate rules to require continuing education for license renewal. Requiring proof of current competence is necessary for Wisconsin to keep pace with the rest of the nation.

Sincerely,



Carol Godiksen
Executive Director



Wisconsin Society of Professional Engineers

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Web: www.wspe.org

A state society of the National Society of Professional Engineers

December 3, 2007

Senate Committee on Labor, Elections, and Urban Affairs
Senator Spencer Coggs, Chairman
Room 123 South, State Capitol
P.O. Box 7882
Madison, WI 53707-7882

RE: Wisconsin Assembly Bill 181 (Proposed Continuing Education Requirements)

Honorable State Senators:

The Wisconsin Society of Professional Engineers (WSPE) strongly supports Assembly Bill 181 that would give the Examining Board of Architects, Landscape Architects, Professional Engineers, Designers, and Land Surveyors (Examining Board) the authority to establish continuing education requirements for renewal of professional licensure. The goal of the bill is to enhance the protection of the health, safety, and welfare of the public by establishing requirements for professionals to keep pace with changes in technology, research, and ethics.

Assembly Bill 181 is the first step in establishing continuing professional competency (CPC) requirements for engineers. Once those requirements are in place, Wisconsin will join the ranks of at least 34 other states with similar requirements. Having CPC requirements should make it easier for professional engineers registered in Wisconsin to obtain comity from other states in which they wish to practice engineering. WSPE looks forward to having the opportunity to assist the Examining Board in developing CPC requirements that are reasonable, enforceable, easy to monitor, and not unduly burdensome for either the state or the professionals to whom they apply. Most importantly, we look forward to helping ensure the CPC requirements are effective in achieving their primary purpose of enhancing the protection of the public.

Thank you for your consideration of this important legislation.

Sincerely,

A handwritten signature in cursive script, appearing to read 'James A. Buggs'.

James A. Buggs, P.E.
WSPE President, 2007-2008

cc: American Council of Engineering Companies WI
American Institute of Architects, Wisconsin Chapter
American Society of Civil Engineers, Wisconsin Section
American Society of Landscape Architects, Wisconsin Chapter
National Society of Professional Engineers
Wisconsin Society of Land Surveyors
Wisconsin Society of Professional Engineers Board of Directors